

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD JACK HARRISON,

Defendant.

CASE NO. CR94-5074RJB

ORDER
CONTINUING TRIAL DATE

THIS MATTER came before the Court upon the motion of RICHARD JACK HARRISON by and through his attorney, Peter Offenbecher, and the United States of America, by and through Jeffrey C. Sullivan, United States Attorney for the Western District of Washington, and Matthew H. Thomas, Assistant United States Attorney for said District, requesting a continuance of the trial date. Having considered all the files and records herein,

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(I) that failure to grant such a continuance in the proceeding would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice.

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(iv), that failure to grant the continuance in this case, would deny counsel for the defendant the reasonable time necessary for effective preparation, due to counsel's need for more time to review the evidence and consider possible defenses, taking into

1 account the exercise of due diligence;

2 THIS COURT FINDS, pursuant to Title 18, United States Code, Section
3 3161(h)(7), that this is a reasonable period of delay in that no previous motion for
4 continuance has been granted, the defendant has requested more time to prepare for trial
5 and to consider possible defenses, and the defendant has indicated that he will file a
6 waiver of speedy trial in support of this motion.

7 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code,
8 Section 3161(h)(8)(A), the ends of justice will best be served by a continuance, and that
9 they outweigh the best interests of the public and the defendant in a speedy trial.

10 THIS COURT FURTHER FINDS that all of the additional time requested between
11 the original trial date of August 6, 2007 and the new trial date of September 24, 2007 is
12 necessary to provide counsel for the defendant the reasonable time necessary to prepare
13 for trial.

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1 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be
2 continued until September 24, 2007 at 9:30 a.m., with a pretrial conference on September
3 14, 2007 at 9:00 a.m., and that the date within which the pretrial motions are due is
4 continued to August 20, 2007. The time between this date and the new trial date is
5 excluded in computing the time within which a trial must be held pursuant to Title 18,
6 United States Code, Section 3161, et. seq.

7 DATED this 23rd of July, 2007.

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11 ROBERT J. BRYAN
12 United States District Judge

13 Presented by:

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15 s/ Matthew H. Thomas
16 MATTHEW H. THOMAS
17 Assistant United States Attorney

18 s/Peter Offenbecher
19 Attorney for Richard Jack Harrison
20 *Telephonic Approval
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CERTIFICATE OF SERVICE

I hereby certify that on July 18, I electronically filed the foregoing Order
[Proposed] Continuing Trial Date with the Clerk of Court using the CM/ECF system
which will send notification of such filing to the attorney of record for the defendant.

s/ Matthew H. Thomas
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